



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Kownacki, Charles D. et al.  
Appl. No.: 10/026,674  
Conf. No.: 7082  
Filed: December 27, 2001  
Title: PNEUMATIC ENGINE  
Art Unit: 3748  
Examiner: Nguyen, Hoang M.  
Docket No.: 115429-140

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. §1.47(a)**

Sir:

Pursuant to 37 C.F.R. §1.47(a), applicants Jeffrey G. Rehkemper and Ronnen Harary request that the filing of the above-identified application be complete without a declaration under 37 C.F.R. §1.172 signed by co-inventor Charles D. Kownacki, since Mr. Kownacki is refusing to join the application.

In support of this petition, submitted herewith are (1) a check in the amount of \$200.00 for the required fee under 37 C.F.R. §1.17(g), and (2) a declaration of Susanne Teixeira establishing the pertinent facts and circumstances which show that Mr. Kownacki is refusing to join the application.

Mr. Kownacki's last known address is:

3675 Julie Court  
Erie, PA 16506

01/11/2006 RMEBRAHT 00000045 10026674

01 FC:1463

200.00 OP

In view of the forgoing, it is respectfully requested that this application be accepted under the provisions of 37 C.F.R. §1.47(a), and that it be accorded the filing date of December 27, 2001.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY



MacLane C. Key

Reg. No. 48,250

P.O. Box 1135

Chicago, Illinois 60690-1135

Phone: (202) 955-6855



Appl. No. 10/026,674  
Declaration of Susanne Teixeira

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**DECLARATION OF SUSANNE TEIXEIRA**

Sir:

Susanne Teixeira of Spin Master Toys, 450 Front Street West, Toronto, Ontario, CANADA M5V 1B6 states:

1. She forwarded a copy of the application and Reissue Application Declaration by the Inventor via UPS to Charles D. Kownacki's last known address set forth in the letter (Exhibit A). Although the UPS Tracking Report (Exhibit B) shows that the package was received, no response has been received.

2. She contacted Mr. Kownacki's residence by telephone and left messages on his answering machine requesting that he sign and return the declaration documents on November 25, 2005; November 29, 2005; December 5, 2005; December 12, 2005; and December 21, 2005, but has received no response.

3. She caused Evangeline Saldana, who has been in recent e-mail contact with Mr. Kownacki, to e-mail Mr. Kownacki, requesting that he sign and return the declaration documents, but Mr. Kownacki has ignored the e-mailed request.

4. She believes Mr. Kownacki is refusing to sign the declaration, based on the above circumstances.

Appl. No. 10/026,674  
Declaration of Susanne Teixeira

The undersigned further declares that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,



Susanne Teixeira  
Contracts/IP Manager  
Spin Master Toys  
450 Front Street West  
Toronto, Ontario  
CANADA M5V 1B6

Dated: Jan. 4/06



via Courier

November 22, 2005

Charles D. Kownacki  
3675 Julie Court  
Erie, PA  
16506 USA

Attention: Charles Kownacki

Re: U.S. Patent Application Serial No. 10/026,674 – Pneumatic Engine; Kownacki, et al,

Dear Charles,

Enclosed is the new Reissue Application Declaration for the U.S. Patent Application Pneumatic Engine. The new declaration requires your signature.

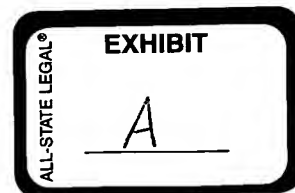
Kindly please arrange to sign the declaration where marked. Once signed please send the document via overnight courier back to my attention to ensure that we meet the filing date of November 28, 2005.

If you have any questions, please let me know. I appreciate your attention to this matter.

Yours very truly,

Susanne Teixeira  
Contracts/IP Manager, Legal Department  
Spin Master Ltd.  
Tel: 416-364-6002 x 264  
Fax: 416-542-1677  
[susannet@spinmaster.com](mailto:susannet@spinmaster.com)

Encl.



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**Status:** Delivered  
**Delivered on:** 23/11/2005 9:15  
**Location:** PORCH  
**Delivered to:** ERIE, PA, US  
**Shipped or Billed on:** 22/11/2005

**Tracking Number:** 1Z 23X 69X 66 2761 872 0  
**Service Type:** EXPRESS

**Package Progress:**

Location	Date	Local Time	Activity
ERIE, PA, US	23/11/2005	9:50	OUT FOR DELIVERY
	23/11/2005	9:15	DELIVERY
	23/11/2005	9:00	ARRIVAL SCAN
PITTSBURGH, PA, US	23/11/2005	6:40	DEPARTURE SCAN
	23/11/2005	5:53	ARRIVAL SCAN
LOUISVILLE, KY, US	23/11/2005	4:42	DEPARTURE SCAN
	23/11/2005	1:40	IMPORT SCAN
	23/11/2005	0:45	ARRIVAL SCAN
	22/11/2005	22:56	DEPARTURE SCAN
	22/11/2005	20:59	ARRIVAL SCAN
	22/11/2005	20:30	DEPARTURE SCAN
CONCORD, ON, CA	22/11/2005	19:16	ORIGIN SCAN
	22/11/2005	17:26	BILLING INFORMATION RECEIVED

Tracking results provided by UPS: 03/01/2006 15:04 Eastern Time

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